

Meeting Minutes
Meeting of September 29, 2016

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, September 29, 2016, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Chairman Stein at 1:02 p.m.

Council Members Present:

Robert Stein
Chairman
Robert Hannon
(designee for Commissioner Klee)
Michael W. Klemens

James J. Murphy, Jr.
Vice Chairman
Philip T. Ashton
Michael Harder
Daniel P. Lynch, Jr.

Council Members Absent

Larry Levesque
(designee for Chairman House)

Staff Members Present:

Melanie Bachman
Acting Executive Director/Staff Attorney
Fred Cunliffe
Supervising Siting Analyst
Christina Walsh
Supervising Siting Analyst

Robert Mercier
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of September 15, 2016.

Dr. Klemens moved to approve the minutes of September 15, 2016, seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 451 - Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at the Cheshire Wastewater Treatment Plant, 1325 Cheshire Street, Cheshire, Connecticut. Transfer of Certificate.

Mr. Ashton moved to approve the Transfer of Certificate, seconded by Mr. Hannon. The motion passed with Dr. Klemens opposed.

DOCKET NO. 463 - American Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at East Lyme Tax Assessor Parcel ID 29.0 45, 351A Boston Post Road, East Lyme, Connecticut. Findings of Fact, Opinion, and Decision & Order. Motion for Reconsideration.

Mr. Murphy moved to remove this item from the table, seconded by Mr. Ashton. The motion passed unanimously.

Mr. Murphy moved to approve the Findings of Fact, Opinion, and Decision & Order, denying the application without prejudice, seconded by Mr. Ashton. The motion passed with Mr. Harder abstaining.

Mr. Murphy moved to reconsider the final decision on this application pursuant to Connecticut General Statutes § 4-181a(a), seconded by Mr. Hannon. The motion passed with Mr. Lynch opposed.

Mr. Murphy moved to approve the schedule for processing the amended application as per staff recommendations, the deposition of the transcript in the Town of East Lyme, a public field review beginning at 2:00 p.m., an evidentiary hearing session beginning at 3:00 p.m., and a public comment hearing session beginning at 7:00 p.m., in the Town of East Lyme on Tuesday, November 1, 2016; seconded by Dr. Klemens. The motion passed with Mr. Lynch opposed.

DOCKET NO. 467 - Homeland Towers, LLC and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Brookfield Tax Assessor Map E10, Lot 014, 100 Pocono Road, Brookfield, Connecticut. Draft Findings of Fact.

After reviewing the Draft Findings of Fact, Chairman Stein conducted a non-binding straw poll of the Council members with Mr. Murphy, Dr. Klemens, Mr. Lynch, Mr. Hannon, Mr. Harder, Mr. Ashton, and Chairman Stein in favor of approving the proposed facility.

Chairman Stein directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

DOCKET NO. 470 - NTE Connecticut, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. Request for Party/Intervenor Status. Applicant's Request for Clarification.

Mr. Murphy moved to grant party and CEPA intervention status to Not Another Power Plant (NAPP) with the conditions that submission of the list of NAPP members be provided to the Council and the service list for Docket No. 470 no later than the close of business on October 13, 2016 and that NAPP continue to update the Council and the service list on any changes to the status of its members during the proceedings held on this application, seconded by Mr. Ashton. The motion passed unanimously, and rendered the applicant's request for clarification moot.

Mr. Murphy moved to grant party status to the Town of Killingly, seconded by Mr. Hannon. The motion passed unanimously.

PETITION NO. 1183 - Wallingford Energy II, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of two natural gas fired 50 megawatt peaking units and associated equipment at an existing electric generating facility located at 115 John Street, Wallingford, Connecticut. Development and Management Plan.

Dr. Klemens moved to approve the Development and Management Plan with the conditions noted in the staff report, seconded by Mr. Hannon. The motion passed unanimously.

PETITION NO. 1218 - PSEG Power Connecticut LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a new 485 megawatt (MW) dual fuel combined-cycle electric generating facility at the existing Bridgeport Harbor Station located at 1 Atlantic Street, Bridgeport, Connecticut. Request for Site Staging/Preparation Activities.

Mr. Hannon moved to approve the request for site staging/preparation activities, seconded by Mr. Harder. The motion passed unanimously.

PETITION NO. 1234 - SolarCity Corporation declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance and operation of a 2.8 Megawatt Solar Photovoltaic Electric Generating facility located at Becton, Dickinson & Company, 7 Grace Way, North Canaan, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the Development and Management Plan with the following conditions:

- In lieu of silt fence between the subject property and wetlands, SolarCity shall install straw wattles or coir rolls as an erosion control measure;
- SolarCity shall submit revised sheet numbers DN-1 to note on fence and gate detail that the 6-8 inch raising of fence is to protect migrating species, and DN-4 to include contractor education with respect to the smooth green snake;
- A requirement that tree clearing be performed during the November 15th through February 1st time period in lieu of sweeps to minimize impacts to the blue-spotted salamander complex; and
- SolarCity shall maintain in good condition the 4 foot by 8 foot plywood sheets in moat areas around the arrays to improve habitat for the smooth green snake and replace when necessary.

The motion was seconded by Mr. Lynch. The motion passed unanimously.

TS-T-MOBILE-086-160829 - T-Mobile request for an order to approve tower sharing at an existing telecommunications facility located at 41 Beckwith Road, Montville, Connecticut. Decision.

Mr. Ashton moved to approve this tower share request with the condition that prior to commencement of installation T-Mobile shall provide one copy of the Structural Analysis Report to the Council referencing Revision G of the Structural Standards for Steel Antenna Towers and Antenna Supporting Structures as adopted by the Connecticut State Building Code effective October 1, 2016, seconded by Mr. Murphy. The motion passed unanimously.

TS-T-MOBILE-086-160908 - T-Mobile Northeast LLC request for an order to approve tower sharing at an existing telecommunications facility located at 401 Chapel Hill Road, Oakdale (Montville), Connecticut. Decision.

Mr. Ashton moved to approve this tower share request with the following conditions:

- Reinforcements shall be made in accordance and consistent with the structural analysis report and modification drawings prepared by Communications Structures Engineering, Inc. dated August 18, 2016 and stamped by James E. Boltz; and
- Within 45 days following completion of the equipment installation, T-Mobile shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the structural analysis.

The motion was seconded by Dr. Klemens. The motion passed unanimously.

TS-T-MOBILE-049-160914 - T-Mobile Northeast LLC request for an order to approve tower sharing at an existing telecommunications facility located at 293 Elm Street, Enfield, Connecticut. Decision.

Dr. Klemens moved to approve this tower share request, seconded by Mr. Murphy. The motion passed with Mr. Lynch abstaining.

Administrative Matters.

Attorney Bachman provided a summary of the Public Utilities Regulatory Authority Technical Meeting held on Wednesday, September 28, 2016.

The following calendar events were also discussed:

- Thursday, October 6, 2016, **public hearing** beginning with a **2:00 p.m. public field review, a 3:00 p.m. evidentiary session, and a 7:00 p.m. public comment session** for Docket No. 469 at the Killingly Town Hall, Meeting Room, 172 Main Street, Killingly, Connecticut.

- Thursday, October 13, 2016, beginning at **1:00 p.m.** Energy/Telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Thursday, October 20, 2016, **public hearing** beginning with a **3:30 p.m. public field review, and a 6:30 p.m. public comment session** for Docket No. 470 at the Killingly High School, Auditorium, 226 Putnam Pike, Killingly, Connecticut.
- Thursday, October 27, 2016, beginning at **1:00 p.m.** Energy/Telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.

Adjournment.

Dr. Klemens moved to adjourn the meeting, seconded by Mr. Murphy. The motion passed unanimously.

Chairman Stein adjourned the meeting at 1:39 p.m.

Respectfully submitted,

Robert Stein
Chairman

RS/cm